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For More Information, Contact:
President of APABA of South Florida:
Bernice Lee at blee@slp.law
NAPABA Communications:
bschuster@napaba.org, 202-775-9555

APABA of South Florida Joins NAPABA and 61 APA Bar Associations in Supreme Court Amicus Brief Challenging President's Revised Muslim and Refugee Ban

MIAMI, FLORIDA — APABA of South Florida joined its affiliated national bar, the National Asian Pacific American Bar Association (NAPABA), and 61 national and local Asian Pacific American bar associations in filing an [amicus brief](#) in the consolidated cases, *Trump v. State of Hawai'i* and *Trump v. International Refugee Assistance Project*, before the U.S. Supreme Court. Together these Asian Pacific American bar associations urged the Court to support the injunction of President Trump's March 6, 2017, revised executive order barring refugees and individuals from six Muslim-majority countries from entering the United States.

The Trump Administration's appeal arises from two challenges to the revised executive order. NAPABA filed an [amicus brief](#) opposing the executive order in the first challenge, *State of Hawai'i v. Trump*. Judge Derrick K. Watson of the U.S. District Court of Hawaii issued an injunction blocking the visa and refugee restrictions. Judge Theodore Chuang of the U.S. District Court of Maryland enjoined the six-country visa ban in *International Refugee Assistance Project v. Trump*.

Both the U.S. Court of Appeals for the Ninth Circuit, in a *per curiam* ruling, and the U.S. Court of Appeals for the Fourth Circuit, in a 10-3 *en banc* ruling, maintained respective lower courts' blocks on the revised executive order. NAPABA filed [amicus briefs](#), endorsed by 43 Asian Pacific American bar associations in both circuits urging them to uphold the lower court injunctions.

The Supreme Court amicus brief describes decades of statutory exclusion of citizens of Asian and Pacific Island countries under early U.S. immigration law, including the Chinese Exclusion Act of 1882 — the first federal law to ban a group of people on the basis of their race. The Civil Rights Era marked a dramatic turning point that saw Congress dismantle nationality-based discrimination with the Immigration and Nationality Act of 1965. The brief explains that presidential discretion in the area of immigration and refugee admission, while broad, is limited by statute. NAPABA and APABA of South Florida argue that President Trump's revised order, with its anti-Muslim underpinnings, violates the unambiguous prohibition on discrimination established by Congress.

We recognize lead pro bono counsel, James W. Kim, a NAPABA member and partner at McDermott Will & Emery LLP, in Washington, D.C., Mr. Kim's team (including Andrew Genz, Philip Levine, Llewelyn Engel, and Matthew Girgenti), and NAPABA Amicus Committee co-chairs, Professor Radha Pathak of Whittier Law School and Albert Giang, a partner at Boies, Schiller & Flexner LLP in Los Angeles, for their leadership drafting the brief, which also involved the efforts of NAPABA staffers.

The Supreme Court will hear the case on October 10, 2017, in Washington D.C.

A total of 63 bar associations submitted this joint amicus brief before the Supreme Court:

- National Asian Pacific American Bar Association
- Arizona Asian American Bar Association
- Asian American Bar Association of Greater Chicago
- Asian American Bar Association of Houston
- Asian American Bar Association of New York
- Asian American Bar Association of Ohio
- Asian American Bar Association of the Greater Bay Area
- Asian American Criminal Trial Lawyers Association
- Asian American Lawyers Association of Massachusetts
- Asian Bar Association of Washington
- Asian Pacific American Bar Association of Central Ohio
- Asian Pacific American Bar Association of Colorado
- Asian Pacific American Bar Association of Indiana
- Asian Pacific American Bar Association of Los Angeles County
- Asian Pacific American Bar Association of Maryland
- Asian Pacific American Bar Association of Pennsylvania
- Asian Pacific American Bar Association of Silicon Valley
- Asian Pacific American Bar Association of Solano County
- Asian Pacific American Bar Association of South Florida
- Asian Pacific American Bar Association of Tampa Bay
- Asian Pacific American Bar Association of Virginia
- Asian Pacific American Lawyers Association of New Jersey
- Asian Pacific American Women Lawyers Alliance
- Asian/Pacific Bar Association of Sacramento
- Austin Asian American Bar Association
- Chinese American Bar Association of Greater Chicago
- Connecticut Asian Pacific American Bar Association
- Federation of Asian Canadian Lawyers
- Filipino American Lawyers Association of Chicago
- Filipino American Lawyers Association of New York
- Filipino American Lawyers Association of Sacramento
- Filipino American Lawyers of San Diego
- Filipino Bar Association of Northern California
- Filipino Lawyers of Washington
- Japanese American Bar Association
- Korean American Bar Association of Chicago
- Korean American Bar Association of D.C.
- Korean American Bar Association of Northern California
- Korean American Bar Association of Southern California

- Korean American Bar Association of Washington
- Korean American Lawyers Association of Greater New York
- Louisiana Asian Pacific American Bar Association
- Michigan Asian Pacific American Bar Association
- Minnesota Asian Pacific American Bar Association
- Missouri Asian American Bar Association
- NAPABA - Hawaii
- National Filipino American Lawyers Association
- New Jersey Muslim Lawyers Association
- Orange County Asian American Bar Association
- Orange County Korean American Bar Association
- Oregon Filipino American Lawyers Association
- Pan Asian Lawyers of San Diego
- Philippine American Bar Association
- South Asian Bar Association - San Diego
- South Asian Bar Association of Chicago
- South Asian Bar Association of Northern California
- South Asian Bar Association of Southern California
- South Asian Bar Association of Washington
- Southern California Chinese Lawyers Association
- Taiwanese American Lawyers Association
- Thai American Bar Association
- Vietnamese American Bar Association of Northern California (VABANC)
- Vietnamese-American Bar Association of Washington

Read the amicus brief [here](#).

Read NAPABA's [amicus briefs](#) in the district court in *State of Hawai'i v. Trump*, in the Ninth Circuit Case, *State of Hawai'i v. Trump*, and in the Fourth Circuit case, *International Refugee Assistance Project v. Trump*.

The National Asian Pacific American Bar Association (NAPABA) is the national association of Asian Pacific American attorneys, judges, law professors, and law students. NAPABA represents the interests of almost 50,000 attorneys and over 80 national, state, and local Asian Pacific American bar associations. Its members include solo practitioners, large firm lawyers, corporate counsel, legal services and non-profit attorneys, and lawyers serving at all levels of government.

Incorporated in 2004, the Asian Pacific American Bar Association of South Florida is a non-profit, voluntary bar organization that serves Asian Pacific American attorneys and communities in Miami-Dade, Broward, and Palm Beach counties.